

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY RELATING
TO THE SIX FOOT FENCE AT MAPLE AND CHAPEL AVENUE**

WHEREAS, the owner of the property located at the intersection of Maple Avenue and Chapel Avenue, otherwise set forth on the Tax Map as Block 26, Lots 1.01, 1.02, 1.05, and 1.07, RLC III, obtained Site Plan Approval from the Planning Board of the Borough of Merchantville; and

WHEREAS, the Resolution as aforesaid, and the Site Plan Approval related thereto provided for the installation of a six (6) foot fence by and between the subject property, and the property immediately adjacent to the east along Chapel Avenue, and

WHEREAS, the fence which has been installed is six (6) feet in height, and continues to the intersection of the property line with the right of way of Chapel Avenue and the sidewalk located within the right of way, and

WHEREAS, there have been incidents in the area of the fence at its intersection with the right of way of Chapel Avenue, related to the fence, and the fact that it obstructs the clear vision of drivers exiting onto Chapel Avenue from the PNC parking lot, and also obstructs the vision of pedestrians and other people using the sidewalk, moving towards Maple Avenue, and prevents them from seeing vehicles exiting the parking lot as aforesaid, and

WHEREAS, Mayor North represented that there was an incident where a young boy riding a bicycle along the sidewalk adjacent to Chapel Avenue moving towards Maple Avenue, was almost struck by a motor vehicle exiting the parking lot, and

WHEREAS, the matter was brought before the Planning Board of the Borough of Merchantville, on Tuesday evening, May 12, 2009 for the purposes of considering the recommendation to the appropriate governmental authorities to remove the last two sections of the six (6) foot fence, and give consideration to altering those two six (6) foot sections so that the section immediately next to the sidewalk would be reduced to three (3) feet in height, and the next section immediately behind that section would be reduced to a graduated height, from three (3) feet in height, and increasing in height, in an even and continuous fashion, to six (6) feet at the end of that section, and

WHEREAS, the Board considered the facts of this matter, and also considered that because of the emergent nature of this matter, that a recommendation be made to the Mayor, Borough Council of the Borough of Merchantville, and the appropriate departments, i.e, the Department of Public Safety, and the Department of Public Works, that the last two sections of the fence referred to above be removed and modified in accordance with the recommendations set forth above, and

WHEREAS, this matter came before the Planning Board of the Borough of Merchantville for consideration at its regular meeting of May 12, 2009,

The Planning Board of the Borough of Merchantville makes the following findings of fact:

1. The situation related to the six (6) foot fence at its intersection with the sidewalk along Chapel Avenue, is creating an emergency situation which may result in injury and or damage to persons and property.
2. The Board determined that a recommendation should be made to the Mayor and Council of the Borough of Merchantville, and the appropriate agencies related thereto, to take some immediate action to ameliorate this emergent situation.
3. The Planning Board determined that pending application by the owner of the Property, for modification of prior site plan approval, that the last two sections of the six (6) foot fence nearest the sidewalk along Chapel Avenue be removed and be reconfigured as further set forth above.

NOW THEREFORE BE IT RESOLVED, that Mayor and Borough Council of the Borough of Merchantville accept the recommendation of the Planning board, and the appropriate agencies related to this issue and that appropriate steps are taken immediately to remove and alter in accordance with this Resolution the last two sections of the six (6) foot fence located adjacent to the sidewalk along Chapel Avenue, pending application by the owner, RLC, II, for revision to the site plan approval.

APPROVED:

ATTEST:

Frank M. North
MAYOR

Denise L. Brouse
BOROUGH CLERK

June 8, 2009